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NOT ENDORSED

October 11, 2012

VIA FACSIMILE (212) 805-7917

Hon. Robert P. Patterson, Jr.
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2550
New York, NY 10007-1312

USDC SDNY
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Re: Levin v. Bank of New York, et al. – 09 Civ. 5900 (RPP) (S.D.N.Y.)

Dear Judge Patterson:

We represent defendant/third-party plaintiff Citibank, N.A. (“Citibank”) in the above-captioned proceeding. We write to request a one week extension of Citibank’s time to respond to the judgment creditors’ motion for partial summary judgment with respect to Phase 2.

Citibank’s response to the motion is currently due Monday October 15, 2012. Due to a death this week in the family of Ms. Schneier, lead attorney for Citibank in this matter, it will not be possible to finalize Citibank’s response by the due date, including its response to the judgment creditors’ Rule 56.1 Statement of Facts. Accordingly, we respectfully request a brief extension of Citibank’s time to respond to the motion until Monday October 22, 2012. We do not believe that the granting of this request would require any adjustment to the rest of the briefing schedule.

Counsel for the Levin, Heiser, and Greenbaum and Acosta judgment creditors have consented to the proposed extension.

Respectfully submitted,

Christopher J. Robinson

CJR/lp

cc: Counsel of record via email

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